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08/116,329 09/22/93 301NO

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EXAMINER

SHALWALA, B

ART UNIT

PAPER NUMBER

EE01/0707

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NEW YORK, NY 10017

2612

DATE MAILED:

07/07/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 6/6/94 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-34 are pending in the application.

Of the above, claims 9-34 are withdrawn from consideration.

2. ☐ Claims have been cancelled.
3. ☐ Claims are allowed.
4. ☒ Claims 1-8 are rejected.
5. ☐ Claims are objected to.
6. ☐ Claims are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on . Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on , has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed , has been ☐ approved; ☐ disapproved (see explanation).
12. ☒ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☒ not been received ☐ been filed in parent application, serial no. ; filed on .
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

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Part III DETAILED ACTION

1. Claims 9-34 are withdrawn from further consideration by the examiner, 37 C.F.R. § 1.142(b) as being drawn to a nonelected species. Election was made **without** traverse in Paper No. 3.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5-7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sasaki et al. U.S. Patent 5,034,804.

As to claim 1, Sasaki shows (fig. 1, 2, 6A, 6B, 9B and 9E; col. 6, line 11 to col. 9, line 35) an imaging apparatus, comprising; image pickup means 26, first memory 316 capable of storing an image signal output from the image pickup means and condition information from WB sensor 17 and exposure sensor 19 color separation/gamma/WB circuit 272 representing a condition in which the image signal is picked up by the imaging means, second memory means a memory card 15 capable of storing the image signal outputted from the image pickup means and the condition information. The second memory being detachably attached to the apparatus. Control means CPU 241 for controlling the condition

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information so as to transferred between the first memory and second memory via memory interface circuit 317.

As to claim 5, Sasaki meets all the limitations of claim 5 as shown above. Further, Sasaki shows a CPU 241 and a signal processing circuit 311 for performing a predetermined processing on the image signal on the basis of the condition information received from WB sensor 17, exposure sensor 19 by CPU 241 and color separation/gamma/WB circuit 272.

As to claim 6, Sasaki meets all the limitations of claim 6 as shown above. Further, Sasaki shows second memory means stores an image signal outputted from the signal processing means in fig. 9E, where among the stored information, image data, WB data, exposure value, and shutter speed value is stored.

As to claim 7, Sasaki meets all the limitations of claim 7 as shown above. Further, Sasaki shows CPU 241 and signal processing circuit 311 as a signal processing means for performing a processing on the image signal on the basis of condition information representing the condition in which the image signal is picked up by the image pick up means, from WB sensor 17 and exposure sensor 19. First and second memory means 316 and 15 being capable of storing condition information. Control means CPU 241 and memory interface 317 for controlling the condition information so as to transferred between first and second memory, control means includes switching means for

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switching the operation of the control means between a plurality of operation mode selected by mode switch 12.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

5. Claims 2, 3 and 8 are rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki et al.

As to claims 2,3 and 8, Sasaki meets all the limitations of claims 2,3 and 8 as shown above. Sasaki shows that when second memory is attached to the apparatus, control means 241 a CPU and memory interface circuit 317 transfers the condition information from the first memory to second memory as further shown in fig. 10. And while reproducing data as shown in fig. 11 and col. 9,

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line 40 to col. 10, line 35; luminance data is read out from the memory card 15(second memory) and stored in frame memory 95 (first memory). It is clear that WB data is also read out from the second memory along with luminance data as described, as WB data is also stored in the second memory as shown in fig. 9E. However, Sasaki shows that at the time of reproduction the image data and condition information (clearly including WB data) is transferred from second memory to the first memory, and Sasaki is silent regarding transferring such data when the second memory is detached from the apparatus. It would have been obvious to one of ordinary skill in the art at the time of invention in the imaging apparatus, to transfer the condition information data including luminance data and WB data from the second memory to the first memory when the second memory is detached from the apparatus, that will save time for the operator of the device to develop new WB and luminance data and use the stored WB data and luminance data already created by the device and stored in the second memory, to be stored back in the first memory when the second memory is detached from the apparatus.

6. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki in view of Nakane et al. U.S. Patent 5,086,345.

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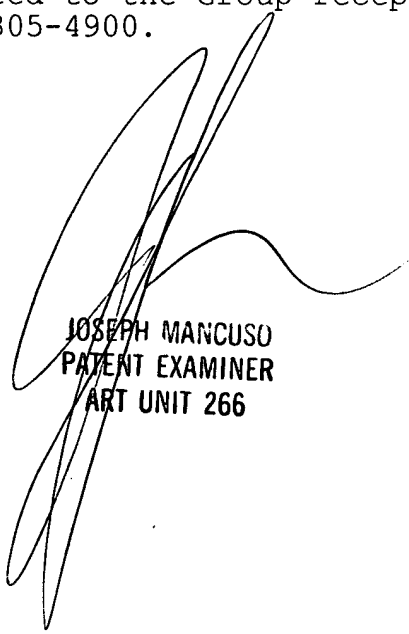
-6-

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As to claim 4, Sasaki meets all the limitations of claim 4 as shown above. Further, Sasaki shows that second memory means includes a memory card 15, which consists of RAM memory, and does not show second memory includes a magnetic disk. Memory means including magnetic disk is well known in the art as shown by Nakane et al. Nakane shows in fig. 1, item 1 a magnetic disk (see col. 3, line 57). It would have been obvious to one of ordinary skill in the art at the time of invention in the imaging apparatus, to include the second memory including a magnetic disk as shown by Nakane in the apparatus of Sasaki, to provide an alternate second memory including magnetic disk.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bipin Shalwala whose telephone number is (703) 305-4938.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4900.



JOSEPH MANCUSO
PATENT EXAMINER
ART UNIT 266